

Interview Summary

Applicants wish to thank Examiner Sarae Bausch for the telephone interview held with Anton Bokal on December 6, 2006, during which the outstanding claim rejections were discussed.

Remarks

Upon entry of the foregoing amendment, claims 1-11, 16-18, 21-25, 27-31, 55-57, 61-63, and 66 are pending in the application, with 1, 31 and 55 being the independent claims. Claims 1, 16-18, 21-25, 27-29, 31, 55-57, 61-63, and 66 are amended. Support for the claim amendments may be found in the original claims and throughout the specification, specifically at paragraph 41 (reciting “multi-layer filter) and paragraphs 42-46 and 62 (example 1). Thus, no new matter is added by way of these amendments, and their entry is respectfully requested.

In view of the above amendments and the following remarks, Applicants respectfully request reconsideration and withdrawal of the outstanding objections and rejections.

Claim Rejections Under 35 U.S.C. § 112, First Paragraph

Claims 1-11, 16-18, 21-25, 27-31, 55-57, 61-63, and 66 were rejected as being non-compliant with the Written Description Requirement of 35 U.S.C. § 112, first paragraph.

The Office Action states that the recitation of “a first filter directly on top of a second filter” in claims 1, 31, and 55 is not supported by the specification and raises the issue of new matter. See Office Action at page 3. Claims 1, 31, and 55 have been

amended and no longer recite the unsupported language, thus rendering the rejection moot.

Accordingly, The specification is fully compliant with the Written Description requirement of 35 U.S.C. § 112, first paragraph, and Applicants respectfully request that these rejections be withdrawn.

Claim Rejections Under 35 U.S.C. § 102

Claims 1-11, 16-18, 21-25, 27-31, 55-57, 61-63, and 66 were rejected under under 35 U.S.C. 102(b) as being anticipated by Jones (WO95/02049). Applicants respectfully disagree.

An anticipation rejection under 35 USC § 102 requires a showing that each limitation of a claim is found in a single reference, practice, or device. *See Kalman v. Kimberly Clark Corp.*, 713 F.2d 760, 771 (Fed. Cir. 1983), *cert. denied*, 465 U.S. 1026 (1984).

The claims are drawn to methods for isolation of biological macromolecules. The method comprises contacting a multi-layer filter with a biological sample.

Jones does not disclose a multi-layer filter. Jones discloses two filters separated by a conduit and a chamber (see Jones page 22 and corresponding figure 5; structures 47 & 48). Accordingly, Jones does not anticipate the present claims and Applicants therefore, request that this rejection under 35 U.S.C. 102 be withdrawn.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

Date: December 7, 2006

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